

1 STUART F. DELERY
2 Acting Assistant Attorney General
3 ANTHONY J. COPPOLINO
4 Deputy Branch Director
5 BRYAN R. DIEDERICH (MA Bar. No. 647632)
6 United States Department of Justice
7 Civil Division
8 20 Massachusetts Ave, NW
9 Washington, D.C. 20004
10 Tel: (202) 305-0198; Fax: (202) 616-8470
11 Bryan.Diederich@usdoj.gov
12 *Counsel for the Defendants*

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

12 NATIONAL COALITION FOR MEN)
13 and JAMES LESMEISTER,)
14 Individually and on behalf of others)
15 similarly situated,) Case No.: CV13-02391-DSF(MANx)
16)
17 PLAINTIFFS,) Hearing Date: July 29, 2013
18 vs.)
19) NOTICE OF MOTION AND MOTION
20 SELECTIVE SERVICE SYSTEM;) TO DISMISS PURSUANT TO
21 LAWRENCE G. ROMO, as Director of) FEDERAL RULE OF CIVIL
22 SELECTIVE SERVICE SYSTEM; and) PROCEDURE 12(B)(1), 12(B)(3), &
23 DOES 1 through 10, Inclusive,) 12(B)(6)
24)
25 DEFENDANTS.)

26 PLEASE TAKE NOTICE that on July 29, 2013, at 1:30 p.m., Defendants
27 will move, and hereby do move, this Court to dismiss Plaintiffs' Complaint in the
28 above-captioned action for lack of jurisdiction pursuant to Federal Rule of Civil
Procedure 12(b)(1), improper venue pursuant to Federal Rule of Civil Procedure
12(b)(3), and for failure to state a claim upon which relief can be granted pursuant

1 to Federal Rule of Civil Procedure 12(b)(6). Defendants' motion to dismiss is
2 based upon this notice, the accompanying Memorandum of Points and Authorities,
3 and Defendants' Request for Judicial Notice and any other matter the Court may
4 consider at oral argument or otherwise. This motion is made following the
5 conference of counsel pursuant to L.R. 7-3, which took place on June 10, 2013.
6
7
8

9 Dated: June 17, 2013

Respectfully Submitted,

10 STUART F. DELERY
11 Acting Assistant Attorney General

12 ANTHONY J. COPPOLINO
13 Deputy Branch Director

14
15 Bryan R. Diederich

16 BRYAN R. DIEDERICH (MA Bar No.
17 647632)

18 United States Department of Justice
19 Civil Division

20 20 Massachusetts Ave, NW
21 Washington, D.C. 20004

22 Tel: (202) 305-0198

23 Fax: (202) 616-8202

24 Bryan.Diederich@usdoj.gov

25 *Counsel for the Defendants*
26
27
28